

JUL 15 1998

**DECLARATION IN SUPPORT OF PETITION TO MAKE SPECIAL  
UNDER RULE 102(d)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: The Code Corporation, )  
assignee of Thomas B. Pickens, III's right, )  
title, and interest in invention described )  
in application herein for Letters Patent )

Application No.: 08/972,313 )

Group Art Unit: 2514

Filed: 11/18/97 )

Examiner: Not Yet Assigned

For: INTERNET ACCESS OF GOODS AND )  
SERVICES USING GRAPHICAL CODES )

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED

JUL 20 1998

**DECLARATION OF JON L. ROBERTS**

I, Jon L. Roberts, declare as follows:

1. I am the managing partner of the law firm of Roberts & Brownell, LLC, and the attorney for the Applicant in the above-identified patent application. I am a member of the Bar of the Commonwealth of Virginia and a registered Patent Attorney (Reg. No. 31,293). I make this Declaration in support of Applicant's Petition to Make Special in the above-identified application.

2. The subject matter of the above-identified application relates to a method utilizing graphical codes for facilitating access to goods and services on the Internet for persons with certain physical disabilities. Specifically, the invention is a system where a graphical code is displayed on or in some communications media for scanning by a user to obtain present or future Internet access to the Internet address represented by the graphical code.

3. This invention will greatly enhance the ability of handicapped arthritic individuals, particularly those partially paralyzed, those lacking in fine motor skills and other persons suffering from similar digital and/or partial hand immobility and the like to access the Internet. Internet access for the public is a key governmental objective, which is all the more critical for handicapped individuals.

4. To determine the patentability of the claims as submitted in the application, a patentability search was conducted by Patent Imaging Corporation. The search yielded the twenty-three (23) references which are listed in the Information Disclosure Statement submitted pursuant to 37 C.F.R. §§ 1.97-1.98 in connection with the above-identified application on December 9, 1997.

5. Of the references listed above, 5 are deemed to most closely relate to the claimed subject matter, and are attached as Exhibit A.

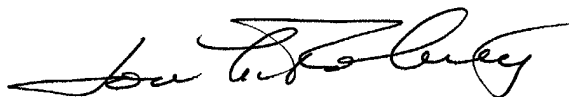
6. Exhibit B of this Declaration provides a detailed discussion of the attached references, pointing out with the particularity required by 37 C.F.R. §§1.111(b) and (c), how the claimed subject matter is distinguishable over the references.

7. In accordance with MPEP 708.02 VIII, Applicant hereby agrees to restrict examination of the claims of this invention to one invention, as a prerequisite to the grant of special status.

8. I further declare that all statements made herein of my own personal knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issued thereon.

Date: 7/15/98



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